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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,044	09/03/2003	Shao-Tsu Kung	CEIP0055USA	2043
27765	7590	11/03/2004	EXAMINER	
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE) P.O. BOX 506 MERRIFIELD, VA 22116			BENZON, GREG C	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/605,044	Applicant(s) KUNG, SHAO-TSU	
	Examiner Greg Bengzon	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined. Claims 1-16 are pending.

Priority

The effective filing date for the subject matter defined in the pending Claims described in this application is September 3, 2003.

Claim Objections

Claim 10 is objected to because of the following informalities: Claim 10 contains a reference and dependency on the network system of Claim 9. However, Claim 9 describes subject matter pertaining to a "client", not a network system. Appropriate correction is required.

Claims 1 and 7 are objected to because of the following informalities: Claims 1 and 7 contain words that should be separated by a space (e.g. "filefor"). Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2, and 5 rejected under 35 U.S.C. 102(b) as being anticipated by Lenz (US Patent 6029196).

With respect to Claim 1, Lenz discloses a network system comprising: a server comprising: a configuration file for storing configurations for clients requesting communication with the server, the configurations comprising unique identifications for the clients (Figure 12 (1211) , Column 5 Lines 44-68); a processor for controlling operations of the server and selecting configurations for clients; and a transceiver for communicating with clients according to set configurations of the clients; at least a client for communicating with the server according to a set configuration, the client comprising: a transceiver for communicating with the server according to a set configuration; a memory for storing the set configuration of the client; and a processor for controlling operations of the client and generating a configuration request for the transceiver to send to the server (Figure 9, Figure 11, Column 5 Lines 44-68); wherein when the processor of the client requests a configuration from the server, the server sends a configuration to the client and the client loads the configuration into the memory to establish communication between the server and the client.(Figure 9, Column 5 Lines 15-40)

With respect to Claim 2, Lenz discloses the network system of claim 1 wherein the transceivers are adapted to communicating via a wired or wireless network.
(Columns 1 Lines 25-40, Column 3 Lines 15-60)

With respect to Claim 5, Lenz discloses the network system of claim 1 further comprising a first program executable on the processor of the server, the first program

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capable of allowing the client to connect to the server with that configuration until another connection request is made by the client. (Column 2 Lines 1-10)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,4,7, and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz (US Patent 6029196) in view of Phaal (US Patent 6006269).

With respect to Claim 3, Lenz discloses the network system of claim 1 further comprising a first program executable on the processor of the client, the first program capable of measuring a time since a configuration was sent to the client through the transceiver, and allowing the client to connect to the server with that configuration for a predetermined time or until another connection request is made by the client. (Column 2 Lines 1-10, Column 5 Lines 15-30)

With respect to Claim 4, Lenz discloses the network system of claim 1 further comprising a first program executable on the processor of the client, the first program capable of measuring a time since a configuration was sent to the client through the transceiver, and allowing the client to connect to the server with that configuration for a

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predetermined time. (Figure 1, Figure 9, Figure 11, Figure 12, Columns 1 Lines 60-65 Column 2 Lines 1-10, Column 5 Lines 20-68)

With respect to Claim 7, Lenz discloses a network server for communication with at least a client, the network server comprising: a configuration file for storing configurations for clients requesting communication with the server, the configurations comprising unique identifications for the clients; a processor for controlling operations of the server and selecting configurations for clients; a transceiver for communicating with clients according to set configurations of the clients; and a first program executable on the processor for allowing the client to connect to the server with the configuration until another connection request is made by the client; wherein when the client requests a configuration from the server, the server sends a configuration to the client to establish communication between the server and the client. (Figure 1, Figure 9, Figure 11, Figure 12, Columns 1 Lines 60-65 Column 2 Lines 1-10, Column 5 Lines 20-68)

With respect to Claim 8, Lenz discloses the network server of claim 7 wherein the transceiver is adapted to communicating via a wired or wireless network. (Columns 1 Lines 25-40, Column 3 Lines 15-60)

However, while Lenz features a client-resident configuration file that has a predetermined timeout period, Lenz does not disclose a program on the server for measuring a time since a configuration was sent to the client through the transceiver

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and for allowing the client to connect to the server with the configuration for a predetermined time.

Phaal discloses a server-resident admission control system that monitors the length of time that a network device has been communicating with the server and sets limits on how long a session can be maintained. (See Phaal Column 7 Lines 45-68 Column 8 Lines 1-20) Furthermore, Phaal also describes the practice of sending configuration information to a client computer in order that the client browser displays a countdown timer to indicate how much time a session has left before the server shuts the session down. (See Phaal Columns 11 Lines 35-40 Column 12 Lines 53-68)

Lenz and Phaal are analogous art because they present concepts and practices for session management and control in client-server network systems, as applied to systems with automated client configuration features. It is respectfully suggested that it would have been obvious to a person of ordinary skill in the art to incorporate the teachings of Phaal regarding server-resident (as opposed to client-resident) admission control procedures into the system describe by Lenz. The suggested motivation for doing so is to enable the server to react to varying conditions in the computing environment, such as those instances of greater-than-desired-load during peak hours, such that incoming sessions are prevented from further degrading the quality of service.

Therefore, it would have been obvious to combine the teachings of Phaal with system of Lenz for the benefit of a server-resident session management and admission control procedure to obtain the invention as specified in Claims 3,4, 7 and 8.

Claims 11, 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz (US Patent 6029196) in view of Nonaka et al. (US Patent 5619716) hereinafter referred to as Nonaka.

With respect to Claim 11, Lenz discloses a method of establishing communication between a server and a client, the method comprising: requesting a connection to the server with the client; sending a configuration from the server to the client, the configuration comprising a unique identification for the client; wherein the server and client communicate over an established connection according to the configuration in the memory of the client. (Figure 1, Figure 9, Figure 11, Figure 12, Columns 1 Lines 60-65 Column 2 Lines 1-10, Column 5 Lines 20-68)

With respect to Claim 13, Lenz discloses the method of claim 11 further comprising allowing connection to the server with the sent configuration for a predetermined time after the sent configuration is sent to the client.(Column 2 Lines 1-10, Column 5 Lines 20-68)

With respect to Claim 14, Lenz discloses the method of claim 11 further comprising allowing connection to the server with the sent configuration until another connection request is made by the client. (Column 2 Lines 1-10, Column 5 Lines 20-68)

With respect to Claim 15, Lenz discloses the method of claim 11 further comprising allowing connection to the server with the sent configuration for a

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predetermined time after the sent configuration is sent to the client or until another connection request is made by the client. (Column 2 Lines 1-10, Column 5 Lines 20-68)

With respect to Claim 16, Lenz discloses the method of claim 11 wherein the server and client communicate over a wired or wireless network. (Columns 1 Lines 25-40, Column 3 Lines 15-60)

However, Lenz does not disclose the method of Claim 11 evaluating the configuration received by the client for compatibility with the client; loading the configuration into a memory of the client when the configuration is compatible with the client; and sending confirmation of the loaded configuration from the client to the server.

Nonaka discloses of a configuration management system with a client-resident configuration modification program that evaluates the configuration file received from the server and decides whether updates to the configuration file are necessary in accordance with the characteristics of the type of client system involved. Furthermore, Nonaka discloses the configuration modification program loading the client configuration and sending an "update complete" message to the server. (See Nonaka Figure 9, Figure 20, Column 9 Lines 5-25, Columns 14 Lines 10-15, Column 15 Lines 35-40, Column 16 Lines 54-56)

Lenz and Nonaka are analogous art because they present concepts and practices regarding client-server computing environments having an automated client

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configuration feature. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the teachings of Nonaka in order to have a program in the client system of Lenz capable of receiving the configuration file from the server, verifying the compatibility of the received configuration file, and discarding the configuration file from the server if said configuration file does not comply with a predetermined standard. It would have been similarly obvious to implement a confirmation message sent by the client to the server in the system described by Lenz to notify the server of the status of the configuration process. The suggested motivation for doing so would have been, as Nonaka suggests, so that the configuration process of the individual clients are automated in conformity with the types of clients, so that the system is facilitated to clear up a cause upon the occurrence of any fault, and that any malfunction ascribable to the different environments of the individual client systems is prevented from occurring.

Therefore it would have obvious to combine the concepts and practices described by Nonaka into the system described by Lenz for the benefit of increased system configuration correction capability and flexibility for different types of client systems in order to obtain the invention as specified in Claims 11, and 13-16.

Claims 6,9, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz (US Patent 6029196) in view of Nonaka et al. (US Patent

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5619716) hereinafter referred to as Nonaka, further in view of Reichmeyer et al. (US Patent 6286038) hereinafter referred to as Reichmeyer.

For the purposes of this examination, Claim 10 is assumed to reference the client system of Claim 9, instead of the network system of Claim 9. Please refer to Claim Objections section of this Office Action.

With respect to Claim 6, the combined teachings of Lenz and Nonaka, when applied together, are enough to disclose the invention as described in Claim 6. Please refer to arguments previously presented by the examiner in the prior rejections for Claims 11, 13-16. Lenz discloses the network system of claim 1 further comprising a second program executable on the processor of the client, the second program capable of loading a configuration received by the transceiver of the client into the memory. (See Lenz Figure 1, Figure 9, Figure 11, Figure 12, Columns 1 Lines 50-68 Column 2 Lines 1-20, Column 5 Lines 15-68) Nonaka discloses a client-resident program that determines whether the received configuration complies with a predetermined standard in accordance with the characteristics of the type of client system involved, determines whether configuration updates are necessary, and if so, loads the configuration file into the client system. (See Nonaka Figure 9, Figure 20, Column 9 Lines 5-25, Columns 14 Lines 10-15, Column 15 Lines 35-40, Column 16 Lines 54-56)

With respect to Claim 9, the combined teachings of Lenz and Nonaka, when applied together, are enough to disclose the invention as described in Claim 9. Please refer to arguments previously presented by the examiner in the prior rejections for Claims 11, 13-16. Lenz discloses a client for communicating with the server according to a set configuration, the set configuration comprising a unique identification for the client, the client comprising: a transceiver for communicating with the server according to a set configuration; a memory for storing the set configuration of the client; a processor for controlling operations of the client and generating a configuration request for the transceiver to send to the server; and a second program executable on the processor for loading a configuration received by the transceiver into the memory. (See Lenz Figure 1, Figure 9, Figure 11, Figure 12, Columns 1 Lines 50-68 Column 2 Lines 1-20, Column 5 Lines 15-68) Nonaka discloses a client-resident program that determines whether the received configuration complies with a predetermined standard in accordance with the characteristics of the type of client system involved, determines whether configuration updates are necessary, and if so, loads the configuration file into the client system. (See Nonaka Figure 9, Figure 20, Column 9 Lines 5-25, Columns 14 Lines 10-15, Column 15 Lines 35-40, Column 16 Lines 54-56)

With respect to Claim 10, Lenz discloses the *client* [edited by examiner] system of claim 9 wherein the transceiver is adapted to communicating via a wired or wireless network. (Columns 1 Lines 25-40, Column 3 Lines 15-60)

With respect to Claim 12, the combined teachings of Lenz and Nonaka, when applied together, are enough to disclose the invention as described in Claim 12. Please refer to arguments previously presented by the examiner in the prior rejections for Claims 11, 13-16. Lenz discloses the method of claim 11 further comprising loading a configuration into the memory of the client. (See Lenz Figure 1, Figure 9, Figure 11, Figure 12, Columns 1 Lines 50-68 Column 2 Lines 1-20, Column 5 Lines 15-68) Nonaka discloses a client-resident program that determines whether the received configuration is compatible with the client in accordance with the characteristics of the type of client system involved , determines whether configuration updates are necessary and if so, loads the configuration file into the client system. . (See Nonaka Figure 9, Figure 20, Column 9 Lines 5-25, Columns 14 Lines 10-15, Column 15 Lines 35-40, Column 16 Lines 54-56)

However, the combined teachings of Lenz and Nonaka, when applied together, fail to disclose of a client system loading a default configuration into the memory when the received configuration is determined to be unsuitable for the client system.

Reichmeyer discloses a method and apparatus for remotely configuring a network device, wherein the target network device receives configuration information from a central configuration server and proceeds to construct the configuration file based on the configuration information received from the server. Furthermore,

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Reichmeyer describes the client system having a default configuration such that target network device is able to function should the configuration process fail to complete satisfactorily or if the received configuration file is deemed unsuitable to the local client system environment. (See Reichmeyer Figure 7 Column 6 Lines 38-55 Lines 60-68 Column 10 Lines 45-50)

Lenz, Nonaka and Reichmeyer are analogous art because they present concepts and practices regarding client-server computing environments having an automated client configuration feature. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the teachings of Reichmeyer in order to have a program in the client system described by the combined teachings of Lenz and Nonaka, said program capable of receiving the configuration file from the server and discarding the configuration file from the server if said configuration file does not comply with a predetermined standard. It would have been similarly obvious to include a default configuration as taught by Reichmeyer into the client system described by the combined teachings of Lenz and Nonaka, such that if said client-resident program as described by Lenz and Nonaka, decides to discard the received configuration file at any point in time during the configuration process, said program can reload the default configuration back into the client system memory. The suggested motivation for doing so would have been to enable the client system to have some degree of input into the configuration process, in case the configuration file determined by the server is not ideal to the client system, and to make sure the configuration file takes into account unexpected changes in the network environment or

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in the local client system environment. Having a default configuration presents a convenient manner by which the client system is able to initialize itself in order to initiate configuration procedures with the configuration server without the server knowing of the client system beforehand, and provides a backup configuration system as well in case the configuration process encounters any unresolved issues before completion and needs to perform recovery procedures.

Therefore it would have been obvious to combine the concepts and practices of Reichmeyer with the combined system of Lenz and Nonaka for the benefit of having a "fall back" procedure for the configuration process in order to obtain the invention as specified in Claims 6,9, 10 and 12.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form for details.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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